

10/25/11

FILED  
DEBBIE HARMON, CLERK  
OCT 25 2011  
*[Signature]*  
DEPUTY

HON. JAMES A. HAYNES  
District Judge - Dept. 2  
Twenty-First Judicial District  
Ravalli County Courthouse  
205 Bedford - Suite B  
Hamilton, Montana 59840  
(406) 375-6780  
Fax (406) 375-6785

RECEIVED  
OCT 27 2011

MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT, RAVALLI COUNTY

STATE OF MONTANA,	Cause No. DC 2011-117/15
Plaintiff,	Department No. 2
vs.	
HARRIS HIMES,	IN RE MONTANA SUPREME COURT
Defendant	CAUSE NO. PR 06-0120

Defendant Harris Himes, *pro se*, filed a motion to disqualify District Court Judge James A. Haynes in this Montana Twenty-First Judicial District Court Cause No. DC 11-117.

Judge Haynes withdrew from presiding over Cause No. DC 11-117 on October 11, 2011. District Court Judge Loren Tucker has agreed to accept jurisdiction.

On October 20, 2011, the Honorable Mike McGrath, Chief Justice of the Montana Supreme Court, assigned District Court Judge Karen Townsend to hold a disqualification proceeding in this matter (copy attached). Since Judge Haynes has withdrawn, the disqualification proceeding appears unnecessary. (*Cessante causa; cessat effectus*).

This filing is intended as an informational communication to all interested parties and judicial officers. This District Court respectfully suggests the assignment of Judge Townsend in this matter is unnecessary and should be withdrawn.

DATED this 25<sup>th</sup> day of October, 2011.

  
\_\_\_\_\_  
HON. JAMES A. HAYNES, District Judge

*SR 10-26-11*  
cc: Hon. Mike McGrath, Chief Justice  
Hon. Karen Townsend  
Hon. Loren Tucker  
Brett O'Neil, Special Deputy Ravalli County Attorneys  
Harris Himes

October 21 2011

Ed Smith  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

## IN THE SUPREME COURT OF THE STATE OF MONTANA

PR 06-0120

FILED

OCT 21 2011

Ed Smith  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

ORDER

RECEIVED

OCT 27 2011

STATE OF MONTANA,

Plaintiff,

v.

HARRIS HIMES,

Defendant.

A motion to disqualify District Court Judge James A. Haynes for cause having been filed in the above-captioned Ravalli County case, Cause No. DC 11-117, by self-represented defendant Harris Himes,

## IT IS ORDERED:

1. Pursuant to § 3-1-805, MCA, the Honorable Karen Townsend, District Court Judge of the Fourth Judicial District, is hereby assigned to hear the disqualification proceeding.
2. The Clerk is directed to provide copies of this order to the Honorable James A. Haynes, the Honorable Karen Townsend, and the Clerk of the District Court of Ravalli County, Montana, for notification of this order to Defendant Harris Himes and counsel of record in Ravalli County Cause No. DC-11-117.

DATED this 20<sup>th</sup> day of October, 2011.

  
 Chief Justice